

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

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# California State Board of Education November 2021 Agenda Item #09

## Subject

2021 World Languages Adoption of K–8 Instructional Materials: Instructional Quality Commission Recommendations

## Type of Action

Action, Information, Public Hearing

## Summary of the Issue(s)

*Education Code (EC)* Section 60200(a)(6) calls for the State Board of Education (SBE) to adopt instructional materials in subjects and disciplines for which the adoption of instructional materials may be necessary or desirable. The previous adoption of world languages instructional materials was completed in 2003, but *EC* Section 60200.7 suspended all work on instructional materials adoptions from July 2009 through   
July 1, 2015. *EC* Section 60212 authorizes the SBE to collect fees from participating publishers to fund the activities of the adoption.

*EC* Section 60204 directs the Instructional Quality Commission (IQC) to study and evaluate instructional materials submitted for adoption and to recommend materials for adoption to the SBE. The IQC has reviewed the 11 instructional materials programs that were submitted by publishers for the 2021 World Languages Adoption and is recommending 10 programs for adoption with edits and corrections and changes to address social content issues that were cited during the process.

## Recommendation

The California Department of Education (CDE) recommends that the SBE act on the following two recommendations: (1) adopt the 10 programs recommended by the IQC; (2) accept the publisher errata not considered by the IQC at its September 2021 meeting; and (3) direct CDE staff, in conjunction with members of the IQC and/or Content Review Experts (CREs), as needed, to work with publishers to ensure that the IQC-recommended edits and corrections and other publisher errata and administrative updates adopted by the SBE have been made to their revised instructional materials.

Given that the criteria for the world languages adoption categorizes programs by proficiency level, rather than grade level, and fewer than five basic instructional materials were submitted for each proficiency level, in order to meet the requirement of *EC* Section 60200(e), the CDE recommends that the SBE specifically find that more than five programs met the criteria for the adoption.

## Brief History of Key Issues

### Background

The SBE adopted the World Languages Standards for Public Schools, Kindergarten Through Grade Twelve (WL Standards) (available at <https://www.cde.ca.gov/be/st/ss/worldlanguage.asp>) in 2019 and the *World Languages* Framework for California Public Schools, Kindergarten Through Grade Twelve (*WL Framework*) (available at <https://www.cde.ca.gov/ci/fl/cf/>)in 2020. Pursuant to *EC*60200(c), (1) instructional materials the SBE adopts will be consistent with the criteria and the standards of quality prescribed in the state board’s adopted curriculum framework and (4) aligned to the content standards adopted by the SBE.

The *WL Framework* provides guidance on the implementation of a standards-based curriculum for teachers, administrators, other educators, parents/guardians, and other education stakeholders. The suggested instructional practices demonstrate an understanding that students poised for success in the twenty-first century will be those who are proficient in more than just the core subjects. These students will be global citizens with the ability to navigate the international marketplace, communicate proficiently, and interact meaningfully with understanding and awareness across cultures. These skills—understanding, speaking, reading, writing, and signing in world languages, as well as in English—are essential for students to effectively contribute to state and national efforts and succeed in business, research, and international relations in the twenty-first century. The recommended instructional materials reflect innovative practices grounded in the use of the target language, that are outcomes based, and that are guided by the goals in the *WL Standards*.

The *WL* *Framework* also includes the Criteria for Evaluating Instructional Materials for World Languages in Kindergarten Through Grade Eight*,* which serve as the evaluation instrument for determining whether instructional materials align to the content standards, framework, and other requirements established by the SBE. The criteria are organized into five categories. Materials that fail to meet the criteria in Category 1: Alignment with the World Languages Standards, will not be considered suitable for adoption. All criteria statements in category 1 that are appropriate for the proficiency levels submitted must be met for a program to be adopted. In addition, programs must have strengths in each of categories 2 through 5 to be suitable for adoption.

The SBE adopted the Schedule of Significant Events for the 2021 World Languages Adoption on July 8, 2020, at the same meeting it adopted the *WL Framework*.

### Adoption Process and Timeline

* **Publisher Briefings:** An initial publisher bulletin posted September 24, 2020, marked the beginning of the process to initiate the scheduled 2021 World Languages Adoption.
* **Appointment of Reviewers**: On January 13, 2020, the SBE appointed 39 Instructional Materials Reviewers (IMRs) and three CREs recommended by the IQC to serve as reviewers for the 2021 World Languages Adoption. Pursuant to the *California Code of Regulations, Title 5* [Education] (*5 CCR*), Section 9512, a majority of the IMRs were classroom teachers at the time of appointment. Of the 42 reviewers appointed by the SBE in January, 23 completed the virtual reviewer training and virtual deliberations processes. One panel was comprised of seven reviewers, who reviewed five instructional programs for Spanish. A second panel consisted of 10 reviewers, who considered four instructional programs for Spanish. The third panel was made up of six reviewers, who reviewed two instructional programs for French.
* **Invitation to Submit Meeting with Publishers:** On January 27, 2021, CDE staff and members of the IQC held an online Publisher Invitation to Submit meeting focusing on the process of participation in the adoption. The presentation covered the evaluation criteria and the technical aspects of timely and appropriate publisher participation. Additionally, the CDE provided ongoing and individual guidance to inquiring publishers and posted online regular updates to a list of frequently asked questions.
* **Training:** The training process took place under Executive Order N-29-20, issued by Governor Gavin Newsom March 17, 2020, which allows state bodies covered by the Bagley-Keene Open Meeting Act to hold public meetings via web and/or audio teleconferencing. CDE staff and members of the IQC trained reviewers from April 26–30, 2021. The week’s events were designed to prepare participants for independent review and subsequent deliberations. The training relied on training materials organized in Google Classroom and included presentations reviewing the content standards, curriculum framework, evaluation criteria, social content requirements, and the overall adoption process. The week included publisher presentations delivered to program review panels on the final day of the training and answered reviewer questions.
* **Independent Review:** From May through July 2021, reviewers conducted their independent review of the submitted programs. Reviewers received access from publishers on or before May 14 and conducted their independent reviews of the submitted instructional materials in May, June, and early July. Each of the three panels of reviewers was assigned two to five instructional programs to review.
* **Deliberations:** Reviewers met in panel-specific virtual meetings held July 26–30. A member of the IQC and two CDE staff facilitated each panel while additional CDE staff provided administrative support. In addition to the twice-daily public comment periods, publishers receiving formal questions from the panel shared responses in five-minute presentations.
* **Public Comment Hearing:** The IQC hosted a virtual meeting on   
  August 17, 2021, to receive public comment on the 2021 World Languages Adoption. No public comment was provided for the World Languages Adoption at the meeting. Written public comment was provided in the form of publisher handouts and publisher-submitted errata. Copies of all public comments received were made available to members of the IQC and SBE. Furthermore, all public comments received no later than July 12, 2021, were shared with the appropriate review panels.
* **IQC Action:** On September 22–23, 2021, the members of the IQC considered the recommendations from the IMR/CRE review panels, public comments, and reports from individual Commissioners to determine whether each program satisfied or did not satisfy the SBE-adopted evaluation criteria for this adoption. Prior to action, the IQC conducted two public hearings, one during the World Languages Subject Matter Committee (WL SMC) meeting on   
  September 22, 2021, and one during the full IQC meeting on September 23, 2021. No public comment was offered regarding the World Languages Adoption submitted programs, process, or the Reports of Findings the review panels developed. All public comments received by the IQC throughout the adoption process have been forwarded to the SBE, including publisher errata the IQC did not consider at its September 22–23, 2021, meeting.
* **Edits and Corrections:** Meetings to address edits and corrections will be scheduled with individual publishers after the SBE considers the IQC recommendations and takes its final action on the adoption. The process and timeline for edits and corrections meetings are specified in *5 CCR* Section 9525, titled “Post Adoption Edits and Corrections Procedures.” These meetings with publishers will address any edits and corrections identified in the IMR/CRE Report of Findings and approved by the IQC at its September 23, 2021, meeting; all edits and corrections identified by the IQC and included in its recommendation to the SBE; and any additional edits and corrections that are required by the SBE. Publishers whose programs are adopted by the SBE will be required to complete all edits and corrections within 60 days of CDE notification of the results of the edits and corrections meetings pursuant to *5 CCR* Section 9525(e). No programs will be added to the CDE Price List of Adopted Instructional Materials online database until all edits and corrections have been made and verified.

### Publisher Fees

*EC* Section 60212 includes the provision that, upon the request of a small publisher or small manufacturer, the SBE may reduce the fee for participation in the adoption. This law defines “small publisher” and “small manufacturer” as “an independently owned or operated publisher or manufacturer that is not dominant in its field of operation and that, together with its affiliates, has 100 or fewer employees, and has average annual gross receipts of ten million dollars ($10,000,000) or less over the previous three years.”

Pursuant to *EC* Section 60213, the CDE assessed publishers participating in the 2021 World Languages Adoption a fee for each proficiency level of each program a publisher submitted for consideration of adoption. The proposed participation fee was $8,000 for each proficiency level per *5* *CCR* Section 9517.3.

### Reports of Findings

Through virtual collaboration during deliberations, IMRs and CREs engaged with facilitators in in-depth discussion to reach consensus and produce a Report of Findings for each program. The Reports of Findings, included as Attachment 2, are posted on the CDE World Languages Instructional Materials Adoption web page, and include findings for each category of the criteria and exemplary citations to support those findings.

The panels recommended 10 of the 11 submitted programs, with some contingent on the amendment of panel-identified edits and corrections and/or social content citations. Edits and corrections are defined as inexact language, imprecise definitions, mistaken notations, mislabeling, misspellings, and grammatical errors. Edits and corrections do not include rewrites, including revisions of sections, chapters, or entire pages, or adding new content to a program; rewrites are not allowed during the adoption process (pursuant to *5 CCR* sections 9510 and 9519). When apparent, the review panels also cited any social content violations (pursuant to *5 CCR* Section 9518).

### Instructional Quality Commission Recommendations

On September 22, 2021, the WL SMC held a public hearing and discussed in depth the IMR/CRE Reports of Findings. The committee scheduled opportunities for members of the public to provide testimony before taking action to recommend instructional programs to the full IQC. No public comment was offered regarding the World Languages Adoption submitted programs, process, or the Reports of Findings the review panels developed.

After the discussion by the WL SMC, a roll-call vote was taken on the submitted programs. The 11 instructional programs submitted by publishers received individual motions and votes. Each motion was stated in the affirmative in each case. A majority vote from the WL SMC was required for any program to be recommended to the full IQC for adoption. The WL SMC recommended 10 of the 11 programs that had been recommended by the review panels. The WL SMC did not recommend the program *Rosetta Stone Foundations* by Rosetta Stone. In its recommendation to the full Commission, the WL SMC accepted the list of edits and corrections and social content citations issued by the review panels.

On September 23, 2021, after providing the opportunity for members of the public to offer comment, the full IQC engaged in a discussion of the WL SMC’s recommendation before it took action to recommend programs to the SBE. Once again, each program received individual roll-call votes. Nine Commissioners were required to vote in the affirmative to recommend any program.

The IQC recommended 10 of the 11 submitted programs. The Commission did not recommend the instructional program from Rosetta Stone. In its recommendation to the SBE, the IQC made no additional changes to the list of edits and corrections and social content citations approved by the WL SMC.

The IQC adoption recommendations to the SBE are included in Attachment 1. Supporting details are provided in Attachment 3, the 2021 World Languages Adoption Instructional Quality Commission Advisory Report, which is posted on the CDE World Languages Instructional Materials Adoption web page at <https://www.cde.ca.gov/ci/fl/im/>.

### *EC* Section 60200(e) Finding

*EC* Section 60200(e) requires specific findings related to the number of programs adopted by the SBE. The criteria for the world languages adoption categorizes programs by proficiency level, rather than grade level. In this adoption, publishers submitted five or more instructional programs for the Novice level of proficiency. However, fewer than five basic instructional materials were submitted for the Intermediate, Advanced, and Superior levels of proficiency. The total number of recommended programs does not provide five or more basic instructional materials programs for each proficiency level.

An initial publisher bulletin posted September 24, 2020, marked the beginning of a widely publicized process to initiate the scheduled California 2021 World Languages Instructional Materials Adoption. Information posted to the CDE website and notifications sent to known publishers ultimately yielded 11 publisher submissions world languages instructional programs—nine in Spanish, and two in French.

The SBE’s recommendations—following consideration of review panels’ Reports of Findings, the IQC Advisory Report, and public comment—and the process outlined above satisfy *EC* Section 60200(a) allowing the SBE to adopt fewer than five programs for each proficiency level when fewer than five satisfy the SBE’s related curriculum framework and its instructional materials adoption evaluation criteria.

Liaisons from the SBE attended all meetings of the IQC related to this adoption, including select training and deliberations of reviewers, and can attest to the extent to which the process aligns to the SBE-adopted *WL Framework*.

## Summary of Previous State Board of Education Discussion and Action

* **January 9, 2019:** The SBE adopted the World Languages Standards for California Public Schools, Kindergarten Through Grade Twelve.
* **July 8, 2020:** The SBE adopted the *World Languages Framework for California Public Schools, Kindergarten Through Grade Twelve*.
* **January 13, 2021:** The SBE appointed 39 IMRs and 3 CREs as recommended by the IQC. The SBE also approved the Standards and Evaluation Criteria Maps for use by publishers and review panels.

## Fiscal Analysis

The 2021 World Languages Instructional Materials Adoption is funded through the collection of publisher participation fees. The estimated cost for this virtual meeting is approximately $35,000, exclusive of staff costs. The total amount collected from publishers who participated in the adoption was $81,059.

## Attachment(s)

**Attachment 1:** Instructional Quality Commission Recommendations to the State Board of Education on the 2021 World Languages Instructional Materials Adoption (1 page)

**Attachment 2:** The 2021 World Languages Adoption Review Panel Reports of Findings (11 reports). These reports are available on the CDE 2021 World Languages Instructional Materials Reports of Findings web page at <https://www.cde.ca.gov/ci/fl/im/2021wlarof.asp>.

**Attachment 3:** 2021 World Languages Adoption Instructional Quality Commission Advisory Report (107 pages). This report is available at <https://www.cde.ca.gov/ci/fl/im/>.

# Attachment 1: Instructional Quality Commission Recommendations to the State Board of Education on the 2021 World Languages Instructional Materials Adoption

*As of the posting of this attachment, these programs have not been adopted by the State Board of Education*

The reports of the IMR/CRE review panels are posted in their entirety on the CDE World Languages Adoption web page at <https://www.cde.ca.gov/ci/fl/im/2021wlarof.asp>.

| Publisher | Title | Proficiency Level(s) | IMR/CRE Recommendation | IQC Recommendation |
| --- | --- | --- | --- | --- |
| Carnegie Learning, Inc. | *¡Qué chévere!* | Novice | Recommended | Recommended |
| Carnegie Learning, Inc. | *En voz alta, Español para hispanohablantes* | Novice, Intermediate | Recommended | Recommended |
| Rosetta Stone Ltd. | *Rosetta Stone Foundations* | Novice, Intermediate, Advanced | Not Recommended | Not Recommended |
| Vista Higher Learning | *Senderos CA Edition* | Novice, Intermediate | Recommended | Recommended |
| Vista Higher Learning | *Encuentros CA Edition* | Novice, Intermediate | Recommended | Recommended |
| Klett USA, Inc. | *Alba y Gael* | Novice | Recommended | Recommended |
| Klett USA, Inc. | *Mapas* | Novice | Recommended | Recommended |
| Klett USA, Inc. | *Reporteros* | Novice | Recommended | Recommended |
| Vista Higher Learning | *¡Listos! + Antología* | Novice | Recommended | Recommended |
| Carnegie Learning, Inc. | *T’es branche?* | Novice | Recommended | Recommended |
| Vista Higher Learning | *D'accord* | Novice | Recommended | Recommended |